



U.S. COURTS
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UNITED STATES DISTRICT COURT
DISTRICT OF IDAHO

POCATELLO DENTAL GROUP, P.C., an
Idaho Professional Corporation

Plaintiff,

V.

INTERDENT SERVICE
CORPORATION, a Washington
Corporation

Defendant.

Case No.: CV-03-450-E-LMB

AFFIDAVIT OF BRADLEY W. EBERT

STATE OF IDAHO)
) ss.
County of Ada)

I, Bradley W. Ebert, hereby depose and state as follows:

1. I am a paralegal at Stoel Rives LLP which represents the Defendant, InterDent Service Corporation ("ISC"), in the above-captioned matter. The facts presented in this affidavit are based upon my personal knowledge.

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2. I called approximately sixteen (16) dental care providers in the Pocatello area requesting information about whether they diagnose and treat TMJ disorders, including the following:

Rufus O. Van Dyke, III, DDS

John T. Mooney, DDS

Olympus Family Dental Care

Michael G. Summers, DDS

H. Gene Hoge, DDS

Williams Family Dentistry

Idaho Orthodontics

Bringhurst Family Dentistry

Bart B. Morrison, DDS

J. Brent Berrey, DDS

Carl B. Holm, DDS

Cedar Dental Plaza

Gordon Herzog, DDS

Monte Page, DDS

Darryl D. Bybee, DDS

Tad Hancock, DDS

3. Of the sixteen dental offices I contacted, only four (4) said that they do not treat TMJ disorders.

4. Several of the dental offices I spoke with commented that they treat patients with TMJ disorders on a regular basis.

5. The methods by which these dental care providers said they could offer treatment for TMJ varied from the most common suggestion of providing stabilization splints, to orthodontia and prescription of anti-inflammatory drugs.

6. On October 31, 2003, I called the number to Dr. Dwight Romriell's new office, 208-234-7246. The call was answered by a recording which is transcribed as follows:

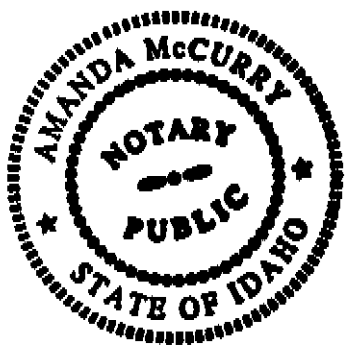
"Hi, this is Shondra with Dr. Dwight Romriell's office. We are so sorry we missed your call. We will return to the office on Monday, November 3rd at 8:00 a.m. If you would like to leave a message, I will return your call. If this is an emergency, please press "0" and an operator will assist you. Thank you."

FURTHER THIS AFFIANT SAYETH NOT.

DATED this 3rd day of November, 2003.

Bradley W. Ebert
Bradley W. Ebert

SUBSCRIBED TO AND SWORN TO before me this 3rd day of November, 2003.



Amanda McCurry
Notary Public for Idaho
Residing at Boise, Idaho
My commission expires 03/13/04

CERTIFICATE OF SERVICE


I hereby certify that I served the foregoing **AFFIDAVIT OF BRADLEY W. EBERT** on the following named person(s) on the date indicated below by

- ☐ mailing with postage prepaid
- ☐ hand delivery
- ☐ facsimile transmission
- ☒ overnight delivery

to said person(s) a true copy thereof, contained in a sealed envelope, addressed to said person(s) at his or her last-known address(es) indicated below.

Gary L. Cooper
Ron Kerl
James P. Price
COOPER & LARSEN
151 N. 3rd Avenue, Ste. 210
PO Box 4229
Pocatello, ID 83205-4229
Phone: (208) 235-1145
Fax: (208) 235-1182

DATED: this 3 day of November, 2003.


G. Key Reinhardt
Attorneys for Defendant